

## **REMARKS**

Applicants respectfully traverse and request reconsideration.

### **Claim Amendments**

Notwithstanding the apparent typographical error in the Office's Notice of Panel Decision from Pre-Appeal Brief Review finding claim 47 objected to, Applicants thank the Examiner for notice that claim 47 is allowed as properly set forth in the Office's Advisory Action Before the Filing of an Appeal Brief. (Advisory Action mailed January 16, 2008).

Claims 12, 15-16, 37-38 and 45 have been cancelled without prejudice. Applicants reserve the right to reintroduce the aforementioned cancelled claims and/or to amend the instant application to include limitations from the aforementioned cancelled claims. Claims 13, 17, 34, 46 have been amended. Claim 17 has been amended to require that the increase in the operating frequency of the clock signal above the nominal operating frequency includes accessing memory comprising data representing junction temperatures over a temperature operating range with corresponding clock signal frequencies, wherein the data representing junction temperatures over a temperature operating range with corresponding clock signal frequencies are organized as at least one lookup table. Claim 34 has been similarly amended. The remaining amended claims correct typographical errors or dependencies.

### **Claims Rejections**

Claims 17 and 18 stand rejected under 365 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,397,343 to Williams et al. ("Williams"). Claims 12-13, 15-16, 34, 37, 39-40 and 42 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,451,892 to Bailey ("Bailey") in view of Williams. Claim 19 stands rejected as being unpatentable under 35 U.S.C. § 103(a) as being unpatentable over Williams in view of Bailey. Claims 38, 43 and 44 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bailey in view of Williams

and U.S. Patent No. 6,889,332 to Helms et al. Claim 41 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Bailey in view of Williams and U.S. Patent Publication No. 2003/0229816 to Meynard (“Meynard”). Claims 45 and 46 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bailey in view of Williams and Meynard.

Claims 17, 34 and 48

Each of amended independent claims 17, 34 and new claim 48 have a limitation that mirrors the claim language of previously objected to, and now allowed, claim 47. Applicants respectfully submit that claim 47, prior to the entered, post-final Office action amendment, was objected to as being dependent upon a rejected base claim. The Office stated that claim 47 “would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.” (Final Office action mailed July 16, 2007, p. 12). Previously objected claim 47 was dependent on claim 45 and required that the “data representing junction temperatures over a temperature operating range with corresponding clock signal frequencies are organized as at least one lookup table.” Applicants followed the instructions in the Final Office action and amended claim 47 to include the limitations of claim 45. (Amendment and Response to Final Office Action filed December 17, 2007). Claim 47 was allowed in the Advisory Action mailed January 16, 2008.

As noted above, each of amended claims 17 and 34 now include the allowable limitations of claim 47. Namely, claim 17 has been amended to require that the increase in the operating frequency of the clock signal above the nominal operating frequency includes accessing memory comprising data representing junction temperatures over a temperature operating range with corresponding clock signal frequencies, wherein the data representing junction temperatures over a temperature operating range with corresponding clock signal frequencies are organized as at

least one lookup table. Similarly, claim 38 has been amended such that it now requires “memory comprising data representing junction temperatures over a temperature operating range with corresponding clock signal frequencies, wherein the data representing junction temperatures over the temperature operating range with corresponding clock signal frequencies are organized as at least one lookup table.” Finally, new claim 48 requires, among other things, memory comprising data representing junction temperatures over a temperature operating range with corresponding clock signal frequencies, wherein the data representing junction temperatures over a temperature operating range with corresponding clock signal frequencies are organized as at least one lookup table.

Because each of independent claims 17, 34 and 48 include language that mirrors the allowable limitations of claim 47, Applicants respectfully submit that claims 17, 34 and 48 are in proper condition for allowance.

Dependent claims 13, 18-19, 39-44 each depend on one of allowable claims 17, 38 or 47 and are believed to contain additional novel, non-obvious and patentable subject matter. For at least the reasons identified above, each of these dependent claims are believed to be allowable over the cited publications.

Accordingly, Applicants respectfully submit that the claims are in condition for allowance and that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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